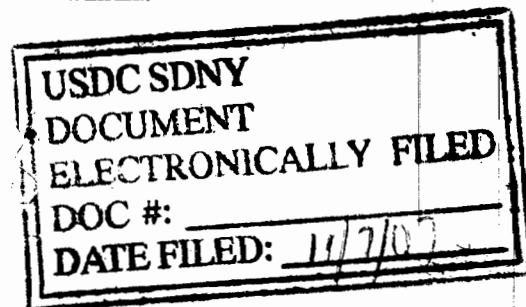




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November 1, 2007

VIA FACSIMILE

Hon. Theodore H. Katz
 United States Magistrate Judge
 U.S. District Court
 Southern District of New York
 500 Pearl Street, Room 1660
 New York, NY 10007

MEMO ENDORSED

Re: *American Guarantee and Liability Insurance Company v. Gerald M. Lemus and John R. Watson*
 Case No. 07 Civ. 6038 (DAB) (THK)
 Our File No. 07706.00068

Dear Judge Katz:

Further to the telephonic status conference conducted on October 24, 2007, and in light of Defendants admissions to this Court that they have no defense to the claims asserted in this action, the undersigned counsel for Plaintiff American Guarantee and Liability Insurance Company hereby requests that the Court "So Order" this letter and set the following briefing schedule for Plaintiff's motion for summary judgment:

- November 9, 2007 – Plaintiff's motion for summary judgment to be filed and served. *19*
- November ~~16~~ ¹⁹, 2007 – Any opposition to the motion to be filed and served by Defendants. *To K*
- November ~~21~~ ²⁸, 2007 – Any reply by Plaintiff to be filed and served. *T.K.*
- ~~The requirement of Local Rule 56.1 for a Statement of Material Facts and any response thereto is requested to be waived.~~ *T.K.*
- Oral argument on the motion is requested to be waived.

By a copy of this letter to Defendants, I am also asking Defendants to sign and return the enclosed form Consenting to Proceed before U.S. Magistrate Judge in the self-addressed stamped envelope. If Defendants sign and return the form to the undersigned, I will ensure that it is promptly filed with the Court with a copy to Chambers.

SO ORDERED

The schedule set forth above is so ordered.
Theodore H. Katz


THEODORE H. KATZ
 UNITED STATES MAGISTRATE JUDGE

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Thank you for your consideration of the foregoing.

Respectfully submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP


Mark G. Ledwin

MGL/cd
Enclosure

cc: Gerald M. Lemus
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(All via Fed Ex)